

**Sec. 5.100. R1-43 SINGLE-FAMILY RESIDENTIAL DISTRICT.****Sec. 5.101. Purpose.**

This district is intended to promote and preserve residential development. Large lots are required to maintain a low density of population. The principal land use is single-family dwellings and uses incidental or accessory thereto together with required recreational, religious and educational facilities.

**Sec. 5.102. Use regulations.**

A. *Permitted uses.* Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Accessory buildings, private swimming pools, home occupations and other accessory uses.
2. Adult care homes; subject to the following criteria:
  - a. Floor area ratio: In no case shall the gross floor area of the structure(s) exceed an amount equal to thirty-five hundredths (0.35) multiplied by the net lot area.
  - b. Capacity: The maximum number of residents other than the manager or owner and/or day care clients at the home shall be ten (10).
  - c. Location: An adult care home shall not be located within seven hundred fifty (750) feet of another adult care home on the same street frontage or within five hundred (500) feet in any other direction of another adult care home.
  - d. Compatibility: The home and its premises shall be maintained in a clean, well-kept condition that is consistent in materials and design style with homes in the surrounding or adjacent neighborhood.
  - e. Parking: All parking for the owner and any employees shall be provided in off-street locations but in no case shall parking occupy more than three-tenths (0.3) of the required front yard.
3. Day care home.
4. Day care group home.
5. Dwelling units, single-family.
6. Guest houses with cooking facilities, as an accessory use subject to the following criteria:
  - a. The minimum lot size shall be thirty-five thousand (35,000) square feet.
  - b. No more than one (1) per lot shall be permitted.
  - c. Parking shall be located behind the established front building line.
  - d. The square footage shall be no greater than one-half the square footage of the principal building.
7. Model homes.
8. Municipal uses.
  - 8.1. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200.
9. Private tennis courts.
10. Public elementary and high schools.
11. Temporary sales office buildings and buildings for uses incidental to construction work, to be removed upon completion or abandonment of construction work.
12. Churches and places of worship; subject to Development Review Board approval and compliance

with the following standards, as well as those otherwise required in the district:

- a. Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than twenty thousand (20,000) square feet (net).
- b. Floor area ratio: In no case shall the gross floor area of the structure(s) exceed an amount equal to two-tenths (0.2) multiplied by the net lot area.
- c. Building height: Development Review Board may allow building heights, including towers, spires, and mechanical equipment (such equipment must be screened) limited to thirty (30) feet in height, and may allow a maximum of ten (10) percent of the roof area to exceed the height limit by fifteen (15) feet. Height and location are subject to the Development Review Board review and approval for compatibility with the established neighborhood character. Maximum permissible heights may not be achievable in all neighborhoods. (This provision supersedes sections 7.100--7.102, exceptions to height restrictions, which shall not apply to churches within this district.)
- d. Open space: In no case shall the open space requirement be less than twenty-four (24) percent of the total lot area for zero (0) to twenty (20) feet of total building height, plus four-tenths (0.4) percent of the total site for each foot of height above twenty (20) feet. All NAOS requirements of the district must be met and may be applied towards the overall open space requirement subject to compliance with NAOS standards.
- e. Parking: Parking shall observe the minimum front yard setbacks of the district for all frontages. On streets classified by the Scottsdale General Plan as major arterial or greater, parking may be located between the established front building line and the front yard setback. On all other street classifications, parking shall be located behind the established front building line(s).

A minimum of fifteen (15) percent of all parking areas shall be landscaped.

A ten-foot minimum landscape setback shall be provided where parking is adjacent to residential districts.

- f. Lighting: All pole mounted lighting shall be directed down and shielded and shall be a maximum of sixteen (16) feet in height.

All lighting adjacent to residential districts shall be set back a minimum of thirty (30) feet from the property line. All lighting, other than security, shall be shut off by 10:00 p.m.

- g. Screening: There shall be a minimum six-foot high masonry wall and/or landscape screen, as approved by the Development Review Board, on the side and rear property lines that are adjacent to residential districts.

There shall be a three-foot high landscaped berm along all street frontage where parking occurs.

- h. Access: All churches must have primary access to a street classified by the Scottsdale General Plan as a minor collector or greater.

Access to a local or local collector residential street is prohibited when the primary worship center, auditorium or other major gathering place exceeds three thousand (3,000) square feet.

- i. Operations: No outdoor activities shall be permitted after 10:00 p.m. No external speakers or paging systems.

**B. *Uses subject to conditional use permit.***

1. Cemetery (see section 1.403 for criteria).
2. Community buildings and recreational facilities not publicly owned, such as: Athletic fields, boys' clubs, etc.
3. Farms.
4. Golf course (except miniature golf course or commercial driving range).
5. Ham transmitting or receiving radio antennas in excess of seventy (70) feet.

6. Wireless communications facilities; Type 4, subject to requirements of Sections 1.400, 3.100 and 7.200.
7. Private colleges and universities having a regular curriculum, with their related services and activities.
8. Private or charter school having no room regularly used for housing or sleeping overnight. Subject to Development Review Board approval and compliance with standards, including, but not limited to, the following as well as those otherwise required in the district.
  - a. Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than eighty-six thousand (86,000) square feet minimum lot size.
  - b. Floor area ratio: In no case shall the gross floor area of the structure(s) exceed an amount equal to two-tenths (0.2) multiplied by the net lot area.
  - c. There shall be no outside speaker system or bells.
  - d. Open space: In no case shall the open space, including play area, be less than twenty-four (24) percent of the total lot area for zero (0) to twenty (20) feet of total building height, plus four-tenths (0.4) percent of the total site for each foot of height above twenty (20) feet. All NAOS requirements of the district must be met and may be applied towards the overall open space requirements subject to compliance with NAOS standards.
  - e. Parking: Parking shall be allowed in the front yard setbacks of the district for schools on streets classified by the Scottsdale General Plan as minor collector or greater. There shall be a three-foot high landscaped berm or wall along the street frontage where parking occurs. On all other street classifications, parking shall be located behind the established front building line(s). A minimum of fifteen (15) percent of all parking areas in addition to open space in d. above shall be landscaped. A twenty-foot minimum landscaped setback shall be provided where parking is adjacent to residential districts.
  - f. Lighting: All pole mounted lighting shall be directed down and shielded and shall be a maximum of sixteen (16) feet in height. All lighting adjacent to residential districts shall be setback a minimum of thirty (30) feet from the property line. All lighting, other than security, shall be turned off by 10:00 p.m., unless otherwise approved through a special event permit.
  - g. Screening: There shall be a minimum six-foot high masonry wall and/or landscape screen, as approved by the Development Review Board, on the side and rear property lines adjacent to residential districts.
  - h. Access: All private and charter schools shall have frontage on a street classified by the Scottsdale General Plan as a minor collector or greater. Side street access to a local collector residential street is prohibited when the number of students allowed to attend the school is greater than two hundred fifty (250). A drop off area shall be provided that accommodates a minimum of five (5) cars at one time.
  - i. Operations: No outdoor activities shall be permitted after 8:00 p.m. unless otherwise approved through a special event permit. Any additions to, expansions of or proposed playgrounds or outdoor activity areas shall be setback fifty (50) feet from any R1 district property line (including right-of-way width) or setback twenty-five (25) feet from any R2, R3, R4, R4-R, R5 or M-H district property line (including right-of-way width). All playgrounds and outdoor activity areas shall be screened from any residential district by a minimum six-foot high screen wall and/or landscape screen, as approved by the Development Review Board.
  - j. Building design: All buildings shall be designed to be compatible with the surrounding residential neighborhood. All building elevations shall be approved by the Development Review Board.
  - k. Circulation plan: The applicant shall submit a circulation plan to insure minimal conflicts between the student drop-off area, potential van and bus drop-off area, parking, access driveways, pedestrian and bicycle paths on site.
9. Public utility buildings, structures or appurtenances thereto for public service uses.
10. Recreational uses including commercial stables, ranches and tennis clubs (see section 1.403 for specific uses and development criteria for each).

(Ord. No. 2394, § 1, 9-16-91; Ord. No. 2430, § 1, 1-21-92; Ord. No. 2431, § 1, 1-21-92; Ord. No. 2470, § 1, 6-16-92; Ord. No. 2636, § 1, 2-15-94; Ord. No. 2858, § 1, 12-5-95; Ord. No. 3048, 10-7-97; Ord. No. 3034, § 1, 11-4-97; Ord. No. 3103, § 1, 1-6-98; Ord. No. 3225, § 1, 5-4-99; Ord. No. 3493, § 1, 3-4-03)

### **Sec. 5.103. Approvals required.**

Prior to development of any municipal use, or any use requiring a conditional use permit, Development Review Board approval shall be obtained as outlined in article I, section 1.900 hereof.

(Ord. No. 3225, § 1, 5-4-99)

### **Sec. 5.104. Property development standards.**

The following property development standards shall apply to all land and buildings in the R1-43 district:

#### **A. Lot area.**

1. Each lot shall have a minimum lot area of not less than forty-three thousand (43,000) square feet.
2. If a parcel of land or a lot of record in separate ownership has less width or area than herein required and has been lawfully established and recorded prior to the date of the passage of this ordinance, such lot may be used for any purpose permitted in this section.

#### **B. Lot dimensions.**

Width. All lots shall have a minimum lot width of one hundred fifty (150) feet.

#### **C. Density.** There shall be not more than one (1) single-family dwelling unit on any one (1) lot.

#### **D. Building height.** No building shall exceed thirty (30) feet in height, except as otherwise provided in article VII.

#### **E. Yards.**

##### **1. Front Yard.**

- a. There shall be a front yard having a depth of not less than forty (40) feet.
- b. Where lots have a double frontage on two (2) streets, the required front yard of forty (40) feet shall be provided on both streets.
- c. On a corner lot, the required front yard of forty (40) feet shall be provided on each street. No accessory buildings shall be constructed in a front yard. *Exception:* On a corner lot which does not abut a key lot or an alley adjacent to a key lot, accessory buildings may be constructed in the yard facing the side street.

##### **2. Side Yard.** There shall be a side yard of not less than twenty (20) feet on each side of a building.

##### **3. Rear Yard.** There shall be a rear yard having a depth of not less than thirty-five (35) feet.

##### **4. Other requirements and exceptions as specified in article VII.**

#### **F. Distance between buildings.**

1. There shall be not less than ten (10) feet between an accessory building and the main building.
2. The minimum distance between main buildings on adjacent lots shall be not less than forty (40) feet.

#### **G. Buildings, walls, fences and landscaping.**

1. Eight-foot walls, fences and hedges are allowed on the property line or within the required side and rear yard. Walls, fences and hedges up to twelve (12) feet are allowed subject to a twenty-foot setback from the side and rear property line. Walls, fences and hedges shall not

exceed three (3) feet in height on the front property line or within the required front yard, except as provided in article VII. The height of the wall or fence is measured from the inside of the enclosure. *Exception:* Where a corner lot does not abut a key lot or an alley adjacent to a key lot, the height of walls, fences and hedges in the yard facing the side street need only conform to the side yard requirements.

2. A minimum of five (5) percent of all parking lot areas shall be landscaped as determined by use permit. All landscaped areas shall be maintained to city standards.

H. *Access.* All lots shall have vehicular access on a dedicated street, unless a secondary means of permanent vehicular access has been approved on a subdivision plat.

I. *Corral.* Corral not to exceed six (6) feet in height shall be permitted on the property line or within the required front, side or rear yard.

(Ord. No. 2509, § 1, 6-1-93)

#### **Sec. 5.105. Off-street parking.**

The provisions of article IX shall apply.

#### **Sec. 5.106. Signs.**

The provisions of article VIII shall apply.